

SECOND REGULAR SESSION

SENATE BILL NO. 833

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALSH.

Read 1st time February 6, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

4949S.011

AN ACT

To amend chapters 375 and 379, RSMo, by adding thereto two new sections relating to homeowner's insurance.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 375 and 379, RSMo, are amended by adding thereto
2 two new sections, to be known as sections 375.009 and 379.141, to read as follows:

375.009. The refusal to write or refusal to renew a homeowner's
2 **insurance policy, or the addition of a surcharge or any increase in the**
3 **premium of such policy is prohibited if the refusal to write or refusal**
4 **to renew, or such surcharge or increase is based solely on any claim**
5 **filed on the covered property while such property was owned by**
6 **anyone other than the current applicant or insured, unless the risk**
7 **from which such claim originated has not been mitigated.**

379.141. 1. As used in this section, unless otherwise clearly
2 **indicated by the context, the following words mean:**

3 (1) "Good standing", an insured who is current in payment of
4 insurance premiums;

5 (2) "Home inventory", a detailed list of personal property;

6 (3) "Homeowner's insurance", an insurance policy issued by an
7 insurer which provides coverage for structures and personal property
8 at the insured location;

9 (4) "Misrepresentation", any oral or written statement or
10 representation that contains false or fraudulent information concerning
11 any fact material to the support of a claim for payment or other benefit
12 pursuant to an insurance policy, certificate, or contract, whether
13 knowingly or unknowingly made;

14 (5) "Personal property", any tangible, movable property in

15 possession of an insured which is not affixed to the ground;

16 (6) "Structure", anything constructed or erected with a fixed
17 location on the ground, including but not limited to buildings, walls,
18 fences, and fixtures.

19 2. Each homeowner's insurance policy issued or delivered in this
20 state shall provide, at a minimum, coverage for the actual cash value
21 of the structure at the time of the loss, subject to all other provisions
22 contained in this section.

23 3. If an insured is in good standing, payment for verifiable
24 damage to structures as part of a claim against a homeowner's
25 insurance policy shall be paid without regard to any misrepresentation
26 in a home inventory for payment for covered personal property as part
27 of the same claim.

28 4. Nothing in this section requires an insurer to pay for a claim
29 for covered personal property in which an insured made a knowing
30 misrepresentation on a home inventory.

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